

UNITED STATES DISTRICT COURT  
THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.  
Magistrate Judge Kimberly A. Jolson

This document relates to:  
*Hernandez v. Davol, Inc., et al.*  
Case No. 2:20-cv-2078

**ORDER**

This matter is before the Court on Plaintiff's unopposed Motion to Substitute Party. (ECF No. 15.) Rule 25 provides that, "[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party." Fed. R. Civ. P. 25(a)(1). "A motion for substitution may be made by any party or by the decedent's successor or representative." *Id.*

Following Plaintiff's death, Cecilio G. Hernandez was appointed the executor of Plaintiff's estate. (ECF No. 15-1.) Plaintiff now moves for the substitution of Cecilio G. Hernandez, as Executor of the Estate of Bertha Hernandez, as the proper plaintiff. (ECF No. 15.) Plaintiff's unopposed Motion to Substitute is **GRANTED**. The Clerk is directed to substitute Cecilio G. Hernandez, as Executor of the Estate of Bertha Hernandez, as Plaintiff in place of Bertha Hernandez.

**IT IS SO ORDERED.**

**12/14/2023**  
DATE

**s/Edmund A. Sargus, Jr.**  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**